



**W.P.(MD) No.4431 of 2026**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

| Date of Reserving the Order | Date of Pronouncing the Order |
|-----------------------------|-------------------------------|
| 09.04.2026                  | 17.06.2026                    |

**CORAM:**

**THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR**

**W.P.(MD) No.4431 of 2026**  
**and**  
**W.M.P.(MD) Nos.3693 & 4378 of 2026**

K.Manivannan

... Petitioner

-VS-

1.The Joint Director of School  
Education (Personnel)  
Chennai-06

2.The Chief Educational Officer  
Thanjavur District

3.V.S.Karthikeyan

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records pertaining to the order passed by the first respondent in his proceedings in Na.Ka.No. 008154/A3/E1/2026, dated 09.02.2026 and quash the same and further



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direct the respondents to permit the petitioner to continue in the second respondent office.

For Petitioner : Mr.V.Panneer Selvam

For Respondents : Mr.N.Satheesh Kumar  
Additional Government Pleader for R1 & R2

### **ORDER**

This writ petition has been filed assailing the proceedings bearing Na.Ka.No.008154/A3/E1/2026, dated 09.02.2026, issued by the first respondent, whereby the petitioner was transferred from the post of Superintendent in the Office of the Chief Educational Officer, Thanjavur, to the post of Superintendent in the Office of the Block Educational Officer, Thanjavur (Rural), on administrative grounds, alleging that the said transfer is punitive in nature and without affording any opportunity to the petitioner.

**2.** It is the case of the petitioner that one Tmt.V.Baby, after having joined as the Chief Educational Officer, Thanjavur, on 05.11.2025, with a view to accommodate the third respondent herein, made a proposal to the first respondent to transfer the petitioner from the Office of the Chief Educational



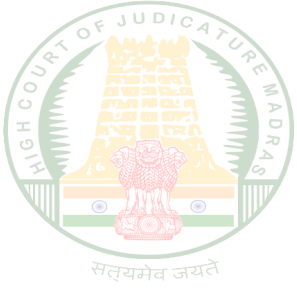
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Officer, Thanjavur, to the Office of the Block Educational Officer, Thanjavur (Rural) and also made a request for transferring the third respondent to the Office of the Chief Educational Officer, Thanjavur, as Superintendent.

**3.** This Court, while entertaining this writ petition, by an order dated 17.02.2026, granted interim stay of operation of the impugned proceedings and the same was extended from time to time till 09.04.2026, the date on which the matter was reserved for orders.

**4.** Learned counsel for the petitioner, while reiterating the averments made in the affidavit filed in support of this writ petition, has taken this Court through the impugned proceedings, wherein certain allegations were made against the petitioner touching upon the efficiency / deficiency in his performance and the recommendation made by the second respondent for transfer of the petitioner on the ground that he is very slow in performing his duties and in spite of repeated oral instructions, he failed to improve his performance. Thus, it is contended that it is only because of the opinion of the second respondent about the functioning of the petitioner as Superintendent in the office of the second respondent and also based on certain complaints on the functioning of the petitioner, he was transferred



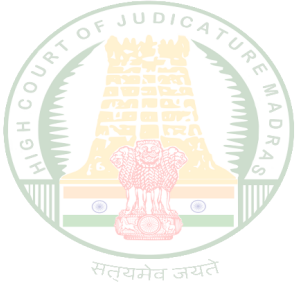
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through the impugned proceedings. Thus, the learned counsel for the petitioner contended that the impugned order is only as a measure of punishment and cannot be termed as transfer on administrative grounds.

**5.** The first respondent filed a detailed counter-affidavit contending that the impugned transfer is purely on administrative grounds in order to improve the functioning of the office of the second respondent. It is also further stated that the petitioner is not in a position to handle the work in the office of the second respondent efficiently resulting in exposing the second respondent to contempt of courts before this Court and the manner in which the petitioner herein has been functioning in the office of the second respondent is also explained in detail. For better appreciation, it is necessary to extract the relevant portion from the impugned transfer order, wherein reasons were assigned for the transfer of the petitioner:

““அ3□ பிரிவில் தஞ்சாவூர் கல்வி மாவட்டத்திற்குட்பட்ட அனைத்து உதவி பெறும் பள்ளிகளில் மேற்கொள்ளப்படும் நியமன ஒப்புதல் அளித்தல் மற்றும் பணியாளர் நிர்ணயம் முதுகலை ஆசிரியர்கள் பணியமைப்பு தொழிற்கல்வி ஆசிரியர்கள் பணியமைப்பு பொதுப்பணித்துறை கட்டிட பணிகள் மற்றும் கல்வி உதவித் தொகை மாணவர்களுக்கு ஆதார் வழங்குதல் உள்ளிட்ட அத்தியாவசிய

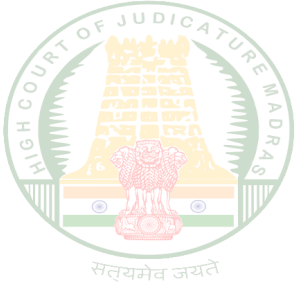


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பணிகள் இப்பிரிவில் உள்ளன எனவும் இந்நிலையில் மேற்காணும் பிரிவுகள் சார்ந்த நீதிமன்ற வழக்குகள் ஒழுங்கு நடவடிக்கை கோப்புகள் போன்ற முக்கியத்துவம் வாய்ந்த மந்தணக் கோப்புகள் அனைத்தும் இப்பிரிவில் கையாளப்பட்டுவருகிறது. நீதிமன்ற வழக்குகளை கையாளுவதிலும் தீர்ப்பாணை பெறப்பட்டுள்ள கோப்புகள் மீது உடன் நடவடிக்கை மேற்கொள்வதிலும் திரு.கி.மணிவண்ணன் என்பார் மெத்தனமாக பணிபுரிவதால் பல்வேறு பணிகளில் சுணக்கம் ஏற்பட்டு அலுவலகத்திற்கும் அலுவலருக்கும் அவப்பெயர் ஏற்படும் நிலை உள்ளது என்றும் உதவி பெறும் பள்ளிகளுக்கு நியமன ஒப்புதல் வழங்குதல் நியமனங்களுக்கு அனுமதி வழங்குதல் உள்ளிட்ட பணிகளில் உடனுக்குடன் மேற்கொள்ளாமலும் பிரிவு உதவியாளர்களால் முன்னிலைபடுத்தப்படும் கோப்புகளில் உடனுக்குடன் முடிவு எடுத்து அலுவலருக்கு அனுப்பாமல் அது தொடர்பாக பல்வேறு புகார்கள் சம்பந்தப்பட்டவர்கள் மீது தொடர்ந்து பெறப்பட்டுவருகிறது என்பதையும் தெரிவித்துள்ளார்.

மேலும் அலுவலக நலன் கருதியும் பணிச்சுமையினை கருத்தில் கொண்டும் நீதிமன்ற வழக்குளை சிறப்பாக கையாளும் பொருட்டும் ஒழுங்கு நடவடிக்கை கோப்புகள் மீது மந்தணத் தன்மையுடன் விரைவில் நடவடிக்கை மேற்கொள்ளும் பொருட்டும் பணியில் மெத்தனமாக செயல்பட்டுவரும் கண்காணிப்பாளர் திரு.கி.மணிவண்ணன் என்பாரை நிருவாக நலன் கருதி தஞ்சாவூர் ஊரகம் வட்டாரக் கல்வி அலுவலகத்திற்கு மாறுதல் செய்தும் அவ்வலுவலகத்தில்



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பணிபுரியும் கண்காணிப்பாளர் திரு.வி.எஸ்.கார்த்திகேயன்  
என்பாரை தஞ்சாவூர் முதன்மைக் கல்வி அலுவலகத்திற்கும்  
மாறுதல் வழங்கி ஆணையிடுமாறு முதன்மைக் கல்வி  
அலுவலர் கேட்டுக்கொண்டுள்ளார்.”

**6.** Mr.N.Satheesh Kumar, learned Additional Government Pleader, appearing for the respondents 1 & 2, while reiterating the averments made in the counter-affidavit, submitted that the impugned transfer is purely on administrative grounds and in order to improve the efficiency and functioning of the office of the second respondent. He also further contended that, mere transfer for the inefficiency of the petitioner cannot be termed as a punitive transfer as the services of the petitioner can be better utilized in the Office of the Block Educational Officer, to which he was transferred to the post of Superintendent.

**7.** This Court has carefully considered the submissions made on either side and also perused the entire materials on record as well as the original records produced by the learned Additional Government Pleader appearing for the respondents 1 & 2.



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**8.** Transfer is an incident of service. Transfer orders can be interfered with by the Courts by exercising the writ jurisdiction under Article 226 of the Constitution of India only under certain exceptional circumstances, such as, transfer by an incompetent authority, for extraneous considerations or issued in *mala fide* exercise of power or in violation of any binding orders governing transfer etc.

**9.** In the instant case, the reasons for transfer of the petitioner are disclosed in detail in the impugned order, which are already extracted herein above. The petitioner, having been aware of the reasons for his transfer, as are assigned in the impugned proceedings, has not chosen to contradict the same, but has chosen to contend that such reasons for his transfer are only with a view to accommodate the third respondent. It is also contended that the second respondent has already made a proposal to the first respondent for transferring the third respondent to his office in the place of the petitioner. But, in the counter-affidavit filed by the first respondent, it is categorically stated that there was no such proposal for transfer of the third respondent to the office of the second respondent available on record. As against the specific stand taken by the first respondent, the petitioner has not produced any material to show that there was any attempt on the part of the second



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respondent to bring the third respondent to her office. In the absence of any material placed before this Court, the said contention of the petitioner cannot be accepted. So also, in the absence of any denial on the nature and manner of functioning of the petitioner herein while working in the office of the second respondent, all the reasons that are assigned in the impugned proceedings have to be taken as true. Even assuming that the petitioner was transferred through the impugned proceedings because of certain complaints received against him and because of the nature of his functioning, it cannot be said that the petitioner cannot be transferred from the office of the second respondent. Every misconduct or complaint or failure of an employee to discharge his duties diligently and efficiently may not necessarily result in initiation of disciplinary proceedings. But, it is always at the discretion of the competent authority either to initiate disciplinary proceedings or to transfer such an employee for better utilisation of his services. In the case on hand, the first respondent, having received a proposal from the second respondent, thought it fit to transfer the petitioner from the office of the second respondent to the office of the Block Educational Officer, Thanjavur (Rural) and acceded to the request made by the second respondent. Absolutely, there is no *mala fide* attributed to any of the respondents herein by the petitioner.



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**10.** Further, it is also brought to the notice of this Court that the Block Educational Office, Thanjavur (Rural), is situated hardly 500 Meters away from the office of the second respondent. Therefore, the petitioner is noway affected nor any prejudice is caused to him because of the impugned transfer. In the light of the above, the very basis on which the present writ petition has been filed, namely, the impugned transfer is punitive in nature cannot be accepted.

**11.** In the light of the above, this Court does not find any error or illegality in the impugned proceedings of transfer issued by the first respondent and therefore, this writ petition is liable to be dismissed.

**12.** Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

**17.06.2026**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No

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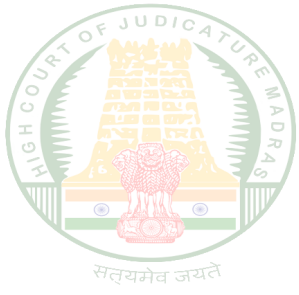


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To:

- 1.The Joint Director of School  
Education (Personnel),  
Chennai-06.
- 2.The Chief Educational Officer,  
Thanjavur District.



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**MUMMINENI SUDHEER KUMAR, J.**

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**ORDER**

**IN**

**W.P.(MD) No.4431 of 2026**

**and**

**W.M.P.(MD) Nos.3693 & 4378 of 2026**

**17.06.2026**